

**Rezoning Application
Planning and Zoning Division
Development Services Department**

TOWN OF DAVIE USE ONLY

Petition Number: _____

Initial Fee: _____

Receipt Number: _____

Submittal Date: _____

Received By: _____

Folio Number: _____

Property Address: _____

Subdivision Name: _____

Future Land Use: _____

Existing Zoning: _____

Requested Zoning: _____

Petitioner: _____

Mailing Address: _____

Telephone: _____

Fax: _____

Relationship to the property: _____

Owner: _____

Mailing Address: _____

Telephone: _____

Fax: _____

I hereby certify that I am the owner of the described property, I have authorized the filing of the aforesaid request, and I understand that I or my authorized agent must be present at the public hearing to present the request to the Board.

OWNER'S NAME(S) (PRINT)

PETITIONER'S NAME (PRINT)

OWNER'S SIGNATURE (ALL OWNERS
MUST SIGN)

PETITIONER'S SIGNATURE

ADDRESS

ADDRESS

CITY, STATE, ZIP CODE

CITY, STATE, ZIP CODE

TELEPHONE

TELEPHONE

The foregoing instrument was acknowledged
before me this _____ day of _____,
20____, by _____
who is personally known to me or has produced

The foregoing instrument was acknowledged
before me this _____ day of _____,
20____, by _____
who is personally known to me or has produced

as identification and who did take an oath.

as identification and who did take an oath.

NOTARY PUBLIC:

NOTARY PUBLIC:

SIGN: _____

SIGN: _____

PRINT: _____

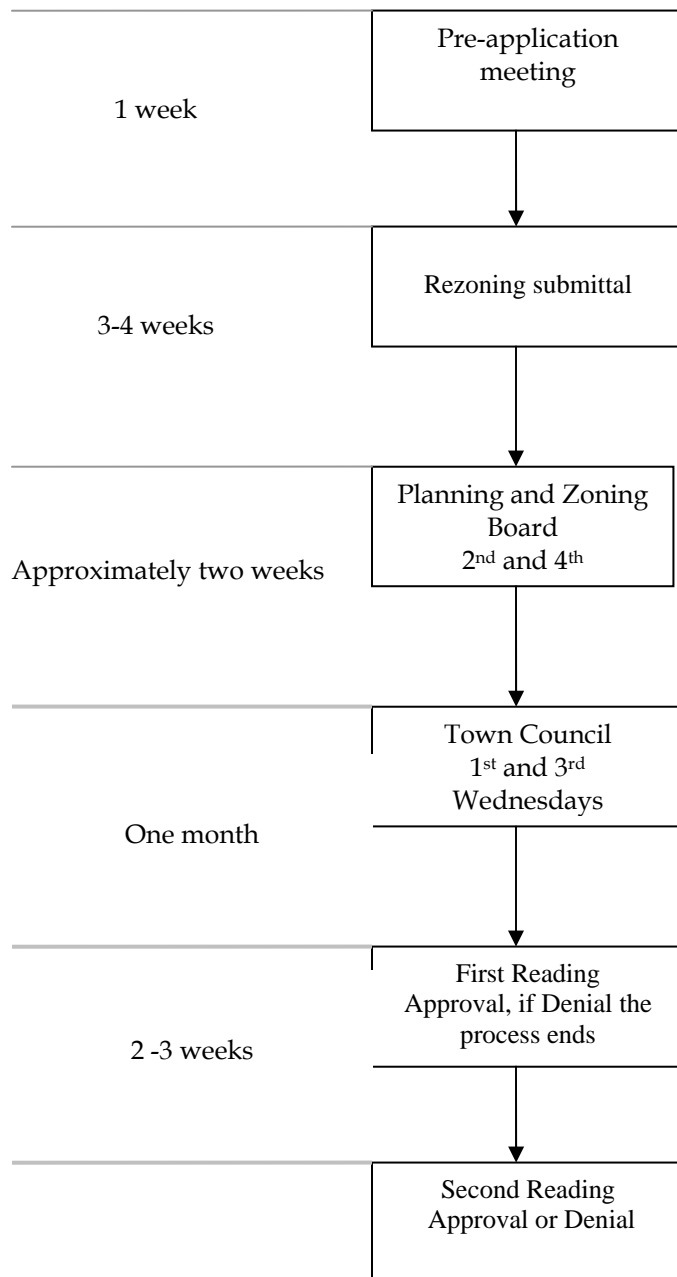
PRINT: _____

My Commission Expires:

My Commission Expires:

Timeline

Rezoning Process



Rezoning Application Checklist

All required information must be provided at the time of submittal unless otherwise noted. Incomplete applications are not acceptable under any circumstances.

1. Pre-application meeting with a planner.
 2. Original application form typed or neatly printed in ink, and notarized properly.
 3. Check made payable to the Town of Davie in the amount specified on the fee schedule.
 4. Copy of warranty deed or most recent tax bill.
 5. Justification letter that must address:
 - Reason for request
 - Review criteria of Section 12-307 of the Land Development Code
 6. Two (2) full scale certified and sealed surveys dated within the last two (2) years with legal description of the entire property, including statement of amount of acreage involved.
-

Often Asked Questions and Answers

Processing Time: Approximately three (3) months.

How Detailed should my justification letter be?

The justification letter should be structured and sufficiently detailed in order to better provide members of the staff, Planning and Zoning Board and Town Council with any specific information that may help to review and approve your petition. Your reason for request should address the criteria used to evaluate it as specified in Land Development Code Section 12-307.

If the Town Council denies my rezoning, where can I appeal the decision?

You can appeal the Town Council's decision to the Broward County circuit court within 30 days.

Chapter 12 of the Town of Davie Land Development Code

Section 12-307. Review for rezonings.

(A) Planning and Zoning Board Review:

(1) The planning and zoning board shall hold its public hearing and shall make a recommendation upon the application to the Town Council, based upon its consideration of, where applicable, whether or not:

(a) The proposed change is contrary to the adopted comprehensive plan, as amended, or any element or portion thereof;

(b) The proposed change would create an isolated zoning district unrelated and incompatible with adjacent and nearby districts;

(c) Existing zoning district boundaries are illogically drawn in relation to existing conditions on the property proposed for change;

(d) The proposed change will adversely affect living conditions in the neighborhood;

(e) The proposed change will create or excessively increase automobile and vehicular traffic congestion, above that which would be anticipated with permitted intensities or densities of the underlying land use plan designation, or otherwise affect public safety;

(f) The proposed change will adversely affect other property values;

(g) The proposed change will be a deterrent to the improvement or development of other property in accord with existing regulations;

(h) The proposed change will constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public;

(i) There are substantial reasons why the property cannot be used in accord with existing zoning;

(j) The proposed zoning designation is the most appropriate designation to enhance the Town's tax base given the site location relative to the pattern of land use designations established on the future land use plan map, appropriate land use planning practice, and comprehensive plan policies directing land use location.

(2) An applicant may withdraw an application, or amend the rezoning application to a more restrictive district, at any time prior to a vote by the council.

(3) The report and recommendation of the planning and zoning board required by this chapter shall be advisory only and shall not be binding upon the council.

(B) Town Council Review:

(1) The council shall establish a public hearing to consider the rezoning review criteria in subsection (A), above, public testimony and the planning and zoning board recommendation, and may act on the petition, deny, deny without prejudice, approve or approve with conditions, or approve an amended application for rezoning.

(2) The council, upon denial without prejudice, may also waive the reapplication fee.

(3) Approval of rezonings shall be by ordinance.

(4) Whenever the council has acted upon an application for the rezoning of property, whether approved or denied, the planning and zoning board shall not thereafter consider any further application for the same or any other kind of rezoning of any part or all of the same property for a period of one (1) year. The above time limits may be waived by a majority vote of the council, when the council deems such action necessary to prevent injustice or to facilitate the proper development of the town. (Ord. No. 90-4, § 7, 2-21-90; Ord. No. 91-33, 9-4-91; Ord. No. 96-13, § 1, 3-20-96; Ord. No. 97-40, § 1, 7-16-97)